

The bill as amended was then ordered engrossed.

Senator Greer moved to reconsider the vote by which the bill was ordered engrossed, and to lay that motion on the table.

Carried.

Senator Atlee moved to adjourn to 10 a. m. to-morrow.

Lost.

Senator Terrell moved to suspend the constitutional rule requiring bills to be read on three several days, and that the bill be put upon its third reading and final passage.

Lost by the following vote (requiring a four-fifths vote):

Yeas—13.

Bowser.	Terrell.
Colquitt.	Tillett.
Dibrell.	Wayland.
Greer.	Woods.
Morriss.	Yantis.
Presler.	Yett.
Ross.	

Nays—9.

Atlee.	Lewis.
Burns.	Linn of Victoria.
Darwin.	Rogers.
Gough.	Turney.
Kerr.	

Absent.

Bailey.	Neal.
Beall.	Stafford.
Goss.	Stone.
Harrison.	

Excused.

Boren. Linn of Wharton.

Senator Gough moved to adjourn to 10 a. m. to-morrow.

Senator Tillett moved to adjourn to 9 a. m. to-morrow.

Senator Bowser moved to adjourn to 8 p. m. to-day.

The Senate adjourned to 10 a. m. to-morrow.

ELEVENTH DAY.

Senate Chamber,

Austin, Tex., Thursday, June 3.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Atlee.	Darwin.
Bowser.	Dibrell.
Burns.	Goss.
Colquitt.	Greer.

Kerr.	Terrell.
Lewis.	Tillett.
Linn, Victoria.	Turney.
Morriss.	Wayland.
Presler.	Woods.
Rogers.	Yantis.
Ross.	Yett.
Stafford.	

Absent.

Bailey.	Harrison.
Beall.	Neal.
Gough.	Stone.

Excused.

Boren. Linn, Wharton.

Prayer by the Chaplain, Rev. F. S. Jackson, as follows:

Almighty God: We bless Thee for this quiet, cool morning. We thank Thee for the many blessings Thou art lavishing upon our State. While Thy Rod touches heavily at a few points, the promise of prosperity and hope greets our people everywhere. While famine and plague, hardship and oppression, are destroying life and property and disturbing the peace and liberty of many people, we are wonderfully preserved. May we be grateful and appreciative. We bless Thee for our home life, that is so pure and elevating, free and simple. Thou hast granted unto our children health, strength and beauty, and filled their mouths with laughter, and their minds with sunny hopes and dreams. The Lord spare their lives, and baptize them with heavenly benedictions. Help us to forgive our enemies; give us a memory that quickly forgets all injuries, and a recollection that clings, with tenacity of love, to every deed of kindness and speech of gratitude. Bless our friends who love and sympathize with us and speak to us words of hope and cheer. Be with us and guide us till the little tale of our life is all told, and make us ready for the green churchyard and the greener Heaven. We ask in the name of Christ. Amen.

Pending reading of the Journal of yesterday,

On motion of Senator Greer, the same was dispensed with.

Call concluded.

BILLS ON SECOND READING.

The Chair laid before the Senate, on second reading,

Senate bill No. 2, a bill to be entitled "An act making appropriations for the support of the State government for the years beginning March 1, 1897, and ending February 28, 1899, and for other purposes."

Bill read second time, with committee substitute.

Senator Colquitt made the point of order that no substitute bill had been recommended by the committee, hence the report endorsed on the bill and printed in the Journal was incorrect.

It appearing that the said committee report was erroneous, and that Senate bill No. 2 was the bill intended to be reported favorably,

Senator Terrell moved that the bill be recommitted to the Committee on Finance for correction.

So ordered.

The Chair then laid before the Senate, on second reading,

Senate bill No. 8, a bill to be entitled "An act to reduce and fix certain civil fees to be paid to clerks of district courts, clerks of the county court, sheriffs and justices of the peace."

Bill read second time, with committee amendments, to-wit:

First. Amend by adding to section 3 the following: "Collecting money on an execution or an order of sale, when the same is made by a sale, for the first \$100 or less, 4 per cent; for the second \$100, 3 per cent; for all sums over \$200 and not exceeding \$1000, 2 per cent; for all sums over \$1000 and not exceeding \$5000, 1 per cent; for all sums over \$5000, one-half of one per cent."

Second. By adding after section 2 the following: "No county or district clerk shall receive any compensation for assessing damages in any case."

Committee amendments adopted.

Senator Goss moved that the Senate take a recess of thirty minutes.

Lost.

By Senator Dibrell:

Amend section 2, page 2, line 29, by striking out the following, "issuing marriage license, 75 cents."

By Senator Colquitt:

Substitute the amendment as follows: Amend line 29, page 2, to read as follows: "Issuing and recording marriage license, \$1."

Adopted.

The amendment as substituted was then adopted.

By Senator Morriss:

Amend page 2, after line 3, by adding, "the district clerk shall be allowed interest at the rate of 6 per cent per annum for all moneys that are held by him, by order of court, until paid out by him by order of court."

Lost.

By Senator Yantis:

Amend by adding between lines 5

iff shall receive any jury trial fee unless the case be tried by a jury."

Adopted.

By Senator Yantis:

Amend by adding after line 30, page 2, the following: "For recording all returns required by law to be recorded, namely, on executions, attachments and sequestrations, when said writs are levied upon real estate, 50 cents."

By Senator Greer:

Substitute the amendment as follows:

Insert between lines 29 and 30, on page 1, also between lines 30 and 31, page 2, the following: "Recording return of any writ, when such return is required by law to be returned, namely, on executions, attachments and sequestrations, the amount of 50 cents; where the return exceeds 200 words, for each 100 words in excess of 200 words, 10 cents."

Senator Yantis accepted the substitute, and same was adopted.

By Senator Tillett:

Amend page 1, line 13, by adding after the word "words," the following: "Provided, whenever in any suit a certified copy of any petition or other instrument is necessary in the district or county court, it shall be lawful for the plaintiff or defendant to prepare such true and correct copy thereof, and to submit the same to the clerk of the district or county court, as the case may be, whose duty it shall be to compare the same with the original instrument, and if found to be correct he shall attach his certificate of true copy; for such service he shall receive 50 cents for each certificate and seal, and in addition thereto the sum of 10 cents per page, 700 words to the page, for each page of said copy."

Adopted.

By Senator Terrell:

Amend by inserting after line 28, page 2, the following, "where printed forms are used in recording deeds and deeds of trust, the county clerk shall receive for each 100 words 5 cents."

By Senator Dibrell:

Substitute by inserting the following in line 28, page 2, after the word "words": "Provided, that when printed deed record books are used, the clerk shall receive no compensation."

Senator Terrell accepted the substitute, and same was adopted.

By Senator Atlee:

On page 2, line 8, strike out "exceeding" and insert "contains."

Bill as amended ordered engrossed.

On motion of Senator Atlee, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—20.

Atlee.	Rogers.
Burns.	Ross.
Darwin.	Stafford.
Dibrell.	Terrell.
Gough.	Tillett.
Greer.	Turney.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Victoria.	Yantis.
Morriss.	Yett.

Nays—1.

Goss.

Absent.

Bailey.	Harrison.
Beall.	Neal.
Bowser.	Presler.
Colquitt.	Stone.

Excused.

Boren. Linn of Wharton.

Bill read third time, and passed by the following vote:

Yeas—22.

Atlee.	Morriss.
Burns.	Rogers.
Colquitt.	Ross.
Darwin.	Stafford.
Dibrell.	Terrell.
Goss.	Tillett.
Gough.	Turney.
Greer.	Wayland.
Kerr.	Woods.
Lewis.	Yantis.
Linn of Victoria.	Yett.

Nays—none.

Absent.

Bailey.	Neal.
Beall.	Presler.
Bowser.	Stone.
Harrison.	

Excused.

Boren. Linn of Wharton.

On motion of Senator Stafford, Senator Greer was excused for non-attendance on Tuesday last, on account of important business.

On motion of Senator Stafford, Senator Goss was excused for past absences, because of sickness in his family.

The following committee report was sent up:

Committee Room,

Austin, Texas, June 3, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Finance, to whom was referred

Senate bills Nos. 2, 3 and 6, each being a bill to be entitled "An act making appropriations for the support of the State government for the years beginning March 1, 1897, and ending February 28, 1899, and for other purposes,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that Senate bills Nos. 3 and 6 do not pass, and that Senate bill No. 2 do pass.

WAYLAND, Acting Chairman.

The Chair laid before the Senate, on second reading, Senate bill No. 2 (appropriation bill, see committee report above).

Bill read second time.

By Senator Wayland:

Page 18, line 32, insert the following: "Erection of associate dining hall, with apartments for employes attached, and converting basement of main building into wards, \$37,500. Extra amount of groceries, first year, \$5000, second year, \$10,000; beds and furniture, \$1000; five attendants and supervisor, \$680, \$1560; three laundresses, \$360, \$720."

Adopted.

By Senator Morriss:

Amend page 14 by adding after line 19 and before line 20: "Fees in examining trials held since March 1, 1897, and before the approval of this bill by the Governor, the sum of \$10,000."

Lost.

By Senator Tillett:

Amend page 6, line 7, by adding after the word "land" the following, "and if any and all claims of those holding by, through or under those he represents, or under the Houston and Texas Central Railway Co."

Senator Burns moved to table the amendment.

No quorum, the following voting:

Yeas—13.

Atlee.	Morriss.
Burns.	Ross.
Dibrell.	Terrell.
Greer.	Turney.
Kerr.	Woods.
Lewis.	Yantis.
Linn of Victoria.	Yett.

Nays—5.

Colquitt. Rogers.
 Darwin. Tillett.
 Goss.

Absent.

Bailey. Neal.
 Beall. Presler.
 Bowser. Stafford.
 Gough. Stone.
 Harrison. Wayland.

Excused.

Boren. Linn of Wharton.

Senator Greer moved a call of the Senate for the purpose of securing and maintaining a quorum, which was ordered, the following Senators answering to their names:

Atlee. Presler.
 Burns. Rogers.
 Colquitt. Ross.
 Darwin. Terrell.
 Dibrell. Tillett.
 Goss. Turney.
 Greer. Wayland.
 Kerr. Woods.
 Lewis. Yantis.
 Linn of Victoria. Yett.
 Morriss.

Absent.

Bailey. Harrison.
 Beall. Neal.
 Bowser. Stafford.
 Gough. Stone.

Excused.

Boren. Linn of Wharton.

Quorum announced.

The motion to table then prevailed by the following vote:

Yeas—17.

Atlee. Presler.
 Burns. Ross.
 Colquitt. Terrell.
 Dibrell. Turney.
 Greer. Wayland.
 Kerr. Woods.
 Lewis. Yantis.
 Morriss. Yett.

Nays—4.

Darwin. Rogers.
 Goss. Tillett.

Absent.

Bailey. Linn of Wharton.
 Beall. Neal.
 Bowser. Stafford.
 Gough. Stone.
 Harrison.

Excused

Boren. Linn of Victoria.

By Senator Lewis:

Strike out line 18, page 20, and in-

"Groceries, etc., 1898, \$12,500; dry goods and clothing, \$3000; beds and furniture, \$1000; additional attendants, \$1200; additional laundresses, \$720."

Adopted.

By Senator Linn of Victoria:

Amend page 6 (printed bill), line 23, by striking out the word "appropriated" and insert the word "approved."

Adopted.

By Senator Rogers:

Amend by striking out all that part of the bill from line 10 to line 24, inclusive, on page 10, and inserting in lieu thereof the following: "Salary of superintendent, \$2500, \$2500; salary of chief clerk, \$1800, \$1800; salary of statistical clerk, \$1200, \$1200; salary of auditing and index clerk, \$1200, \$1200; salary of stenographer, \$1000, \$1000; salary of corresponding and examining clerk, \$1200, \$1200; salary of corresponding and general clerk, \$1200, \$1200; salary of mailing and blank clerk, \$900, \$900; salary of porter, \$360, \$360; traveling expenses for superintendent, or his representative, visiting schools and teachers' and trustees' meetings, and when on business relating to school interests, \$300, \$300; postage, stationery, office furniture, files, binding, reports, books, educational publications, express, freight, telegraphing and incidental expenses, provided the amount used for incidental expenses shall not exceed \$150 each year, \$2000, \$2000; printing and distributing treasurers' record books, county superintendents' record books, office record books, teachers' daily registers, scholastic census blanks, superintendents' and teachers' reports, treasurers' reports, and other forms for use of school officers and teachers, school laws, courses of study, examination questions, circulars to school officers and teachers, and other matter for the advancement of education, all printing to be done under State contract, \$3250, \$3000."

Lost.

By Senator Greer:

Amend page 28, line 7, by striking out the word "moving" and insert in lieu thereof "removing and rebuilding."

Adopted.

By Senator Dibrell:

Amend by striking out, on page 31, all in lines 21 and 22, and substituting in lieu thereof the following: "For salary of expert printer, when one has been employed by the printing board, \$900, \$900."

Senator Darwin moved to take a recess to 3 p. m. to-day.

Lost.

By Senator Colquitt:

Amend by inserting the following between lines 6 and 7, on page 24: "Salary of dining room man, \$240, \$240," and make the figures in first column in line 17, page 24, "\$1000."

Adopted.

By Senator Burns:

Amend page 6, line 31, by striking out "\$1500" and insert "\$1800."

Lost.

By Senator Goss:

Amend by striking out "\$2000" in both columns in line 23, page 1, of printed bill, and insert "\$1800."

Adopted.

By Senator Darwin.

Amend page 4 by striking out line 20.

Lost.

By Senator Darwin:

Amend page 11, line 25: Strike out "\$400" and insert "\$1000" in each column.

Lost by the following vote:

Yeas—6.

Burns.	Goss.
Darwin.	Rogers.
Dibrell.	Yett.

Nays—15.

Atlee.	Ross.
Colquitt.	Terrell.
Gough.	Tillett.
Greer.	Turney.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Victoria.	Yantis.
Morriss.	

Absent.

Bailey.	Neal.
Beall.	Presler.
Bowser.	Stafford.
Harrison.	Stone.

Excused.

Boren. Linn of Wharton.

By Senator Dibrell:

Amend page 15, line 19, by substituting in lieu of "\$2500" in each column the sum of "\$3000."

Lost.

By Senator Darwin:

Amend page 12 by striking out all of lines 12, 13 and 14.

Lost.

By Senators Dibrell and Lewis:

Amend by adding after line 26, on page 11, the following: "To purchase alcohol and bottles for bottling specimens, \$500, \$500."

Lost by the following vote:

Yeas—10.

Darwin.	Ross.
Dibrell.	Tillett.
Goss.	Turney.
Greer.	Wayland.
Lewis.	Yett.

Nays—11.

Atlee.	Morriss.
Burns.	Rogers.
Colquitt.	Terrell.
Gough.	Woods.
Kerr.	Yantis.
Linn of Victoria.	

Absent.

Bailey.	Neal.
Beall.	Presler.
Bowser.	Stafford.
Harrison.	Stone.

Excused.

Boren. Linn of Wharton.

By Senator Goss:

Amend by striking out "\$600" in both columns in lines 8, 17 and 26, on page 13, and in lines 4 and 13, on page 14, of printed bill, and inserting in lieu thereof "\$1200."

Lost.

Bill as amended ordered engrossed.

The following committee report was sent up:

Committee Room,

Austin, Texas, June 3, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 4, a bill to be entitled "An act to fix and limit the fees and compensation of clerks of the district court, district attorneys, county attorneys, sheriffs and constables in felony cases to be paid by the State, and to fix the compensation of assessors and collectors of taxes, and to limit and to regulate the compensation of the sheriff, clerk of the county court, county judge, district and county attorney, clerk of the district court, assessor and collector of taxes, constables and justices of the peace, and to prescribe penalties for the violation of this act, and to repeal all laws in conflict herewith,"

And find the same correctly engrossed.

GOUGH, Chairman.

BILL ON THIRD READING.

The Chair laid before the Senate, on third reading,

Senate bill No. 4, a bill to be entitled "An act to fix and limit the fees

and compensation of the clerks of the district court, district attorneys, county attorneys, sheriffs and constables in felony cases to be paid by the State, and to fix the compensation of assessors and collectors of taxes, and to limit and to regulate the compensation of the sheriff, clerk of the county court, county judge, district and county attorney, clerk of the district court, assessor and collector of taxes, and to prescribe penalties for the violation of this act, and to repeal all laws in conflict herewith."

Bill read third time.

By Senator Goss:

Amend section 11 by striking out, in lines 4 and 5, on page 9, of printed bill, the words, "to the county treasurer of the county where the excess accrued," and inserting the words, "one-half into the State treasury and one-half into the county treasury of the county where the excess accrued."

Senator Atlee moved to adjourn to 3 p. m.

Lost.

Senator Greer moved the previous question on the bill and pending amendment, which was duly seconded and ordered.

The amendment was then lost by the following vote:

Yeas—9.

Burns.	Rogers.
Darwin.	Terrell.
Goss.	Tillett.
Morriss.	Yett.
Presler.	

Nays—12.

Atlee.	Linn of Victoria.
Colquitt.	Ross.
Dibrell.	Turney.
Gough.	Wayland.
Greer.	Woods.
Kerr.	Yantis.

Absent.

Bailey.	Lewis.
Beall.	Neal.
Bowser.	Stafford.
Harrison.	Stone.

Excused.

Boren. Linn of Wharton.

The bill was then passed.

Senator Terrell moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Carried.

Senator Colquitt moved to suspend the constitutional rule requiring bills to be read on three several days, and that Senate bill No. 2 (see above) be put upon its third reading and final

Carried by the following vote:

Yeas—19.

Atlee.	Presler.
Burns.	Rogers.
Colquitt.	Ross.
Dibrell.	Terrell.
Gough.	Turney.
Greer.	Wayland.
Kerr.	Woods.
Lewis.	Yantis.
Linn of Victoria.	Yett.
Morriss.	

Nays—3.

Darwin.	Tillett.
Goss.	

Absent.

Bailey.	Neal.
Beall.	Stafford.
Bowser.	Stone.
Harrison.	

Excused.

Boren. Linn of Wharton.

Bill read third time, and passed by the following vote:

Yeas—21.

Atlee.	Presler.
Burns.	Rogers.
Colquitt.	Ross.
Dibrell.	Terrell.
Goss.	Tillett.
Gough.	Turney.
Greer.	Wayland.
Kerr.	Woods.
Lewis.	Yantis.
Linn of Victoria.	Yett.
Morriss.	

Nays—none.

Present, not voting.

Darwin.

Absent.

Bailey.	Neal.
Beall.	Stafford.
Bowser.	Stone.
Harrison.	

Excused.

Boren. Linn of Wharton.

Senator Wayland moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Carried.

Senator Morriss moved to adjourn to Monday at 10 a. m.

Senator Gough moved to adjourn to to-morrow at 10 a. m.

Senator Ross moved to adjourn to 3 p. m. to-day.

The Senate refused to adjourn to Monday at 10 a. m.

The Senate then adjourned to 10 a.

Yeas—15.

Burns.	Presler.
Colquitt.	Rogers.
Dibrell.	Tillett.
Goss.	Turney.
Gough.	Wayland.
Greer.	Woods.
Lewis.	Yantis.
Linn of Victoria.	

Nays—7.

Atlee.	Ross.
Darwin.	Terrell.
Kerr.	Yett.
Morriss.	

Absent.

Bailey.	Neal.
Beall.	Stafford.
Bowser.	Stone.
Harrison.	

Excused.

Boren.	Linn of Wharton.
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TWELFTH DAY.

Senate Chamber,
Austin, Tex., Friday, June 4.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Atlee.	Morriss.
Bailey.	Neal.
Bowser.	Presler.
Burns.	Rogers.
Colquitt.	Ross.
Darwin.	Stafford.
Dibrell.	Tillett.
Goss.	Turney.
Gough.	Wayland.
Greer.	Woods.
Kerr.	Yantis.
Lewis.	Yett.
Linn of Victoria.	

Absent.

Beall.	Stone.
Harrison.	Terrell.

Excused.

Boren.	Linn of Wharton.
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Prayer by the Rev. Dr. J. A. French of Austin, as follows:

O God, our Almighty Father, maker of heaven and earth, in whom we live and move and have our being, grant Thy presence and blessing to these Thy servants in their efforts for the good of our beloved commonwealth and its people. Give to one and all approving consciences respecting those

things which they have undertaken in righteousness, and grant, when the work of the session, now rapidly approaching a close, comes to be reviewed, there may be few if any vain regrets. We pray Thy blessing on the Governor of our State, upon the president of this body, and all who have been called to assist him in the administration of its affairs. We pray likewise for the President of the United States, and all others in authority, that they may live righteously, soberly, godly, in this present evil world. And after this life, may we all have everlasting joy and felicity at Thy right hand in Heaven, through Jesus Christ our Lord. Amen.

Pending the reading of the Journal of yesterday,

On motion of Senator Kerr, the same was dispensed with.

On motion of Senator Ross,

Senator Neal was excused for non-attendance on Wednesday and Thursday of this week, on account of important business.

On motion of Senator Darwin,

Senator Bailey was excused for non-attendance on Monday, Tuesday, Wednesday and Thursday of this week, on account of important business.

COMMITTEE REPORT.

Committee Room,
Austin, Texas, June 4, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 2, a bill to be entitled "An act making appropriations for the support of the State government for the years beginning March 1, 1897, and ending February 28, 1899, and for other purposes,"

And find the same correctly engrossed.

GOUGH, Chairman.

Senator Colquitt, on part of the investigating committee relating to the missing amendment to Senate bill No. 258 (text-book bill), stated that in order to do full justice to all it was necessary to have a stenographer to serve said committee.

Senator Gough moved that the committee be empowered to select and employ a competent stenographer for the purpose of doing such work as is required by said committee.

So ordered.

Call concluded.